IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No.:

A03P1049

EXPRESS MAIL NO. EV100888694US

Inventor(s):

Mark W. Kroll and Bruce Kleine

Title: ACTIVITY MONITOR AND SIX-MINUTE WALK TEST

FOR DEPRESSION AND CHF PATIENTS

MAIL STOP PATENT APPLICATION COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Submitted herewith for filing are the following documents:

Information Disclosure Statement

PTO-1449 and references

Return Postcard

X	2 page(s) DATA SHEET					
X	38 page(s) application including 31 pages specification; 6 pages claims, and					
	1 page abstract					
<u>X</u>	11_ Sheet(s) of Drawings					
	Formalxx Informal					
<u> X</u>	Declaration					
X	Assignment					
X	Recordation Form Cover Sheet					
X	Power of Attorney by Assignee					
V .	Nonpublication Poquest Under 35 USC 122					

ITEM		NO. OF CLA	IMS FILED	NO. OF ADDITIONAL CLAIMS FILED	LG ENTITY FEE	\$ AMOUNT	\$ FEE
Α	TOTAL CLAIMS FEE	33	- 20 =	13	X \$18	\$234	\$ 234
В	INDEPENDENT CLAIMS FEE**	3	-3 =	0	X 84	0	0
Ç	SUBTOTAL - ADDITIONAL CLAIMS FEE (LINES A + B)					\$ 234	
D.	MULTIPLE-DEPENDENT CLAIMS FEE LARGE ENTITY FEE = \$270						

\$ 984* TOTAL FILING FEE** (ADD TOTALS FOR LINES C, D, AND E)

Charge Deposit Account No. 16-0068 the amount of

BASIC FILING FEE*LARGE ENTITY = \$750

\$984*

A copy of this letter is enclosed.

750

<u>X</u>

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

- X The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 16-0068
 - X Any additional filing fees required under 37 CFR 1.16.
 - \overline{X} Any patent application processing fees under 37 CFR 1.17.
- X The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 16-0068
 - X Any patent application processing fees under 37 CFR 1.17.
 - X Any filing fees under 37 CFR 1.16 for presentation of extra claims.

Respectfully submitted,

Date: 7 3 0 3

Derrick Reed, Attorney for Applicant(s) Reg. No. 40,138

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PACESETTER, INC. 15900 Valley View Court Sylmar, CA 91392-9221 818/493-2200 818/362-4795 (fax)

I hereby certify that this New Application is being deposited with the United States Postal Service as "Express Mail" mailing label number EV100888694US in an envelope as "Express Mail Post Office to Addressee" addressed to th: MAIL STOP PATENT APPLICATION COMMISSIONER FOR PATENTS P.O. BOX 1450 ALEXANDRIA, VA 22313-1450, on:

July**3**, 2003

Estella Pineiro

Date

PTO/SB/35 (11-00)

Approved for use through 10/31/2002, OMB 0651-0031 U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

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NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)

First N	amed Inventor	Mark W. Kroll
Title		MONITOR AND SIX-MINUTE WALK DEPRESSION AND CHF PATIENTS
Atty Do	ocket Number	A03P1049

I hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

7 3 0 3 Date

Signature

Derrick Reed, Reg. No. 40,138

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.